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**PION, NERONE, GIRMAN, WINSLOW & SMITH, P.C.**  
2404 Park Drive, Suite 404  
Harrisburg, Pennsylvania 17110  
Fax: 717-737-5553

Attorneys for Defendants:  
CW Transport, LLC and Saed A. Abdulle

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

SEAN WILLIAMS	:	
	:	CIVIL ACTION - LAW
Plaintiff	:	
	:	NO.:
V.	:	
	:	
CW TRANSPORT, LLC and	:	
SAED A. ABDULLE	:	JURY TRIAL DEMANDED
Defendants	:	

**DEFENDANTS' NOTICE OF REMOVAL**

AND NOW, come Defendants, CW Transport, LLC ("CW Transport") and Saed A. Abdulle ("Abdulle") (collectively "Defendants") by and through their counsel, Stephen E. Geduldig, Esquire, Megan C. Zei, Esquire and Pion, Nerone, Girman, Winslow & Smith, P.C., hereby REMOVE the above-captioned lawsuit pursuant to 28 Pa. C.S. § 1441, *et seq.* from the Court of Common Pleas of Philadelphia County, Pennsylvania, where it has been assigned docket number

210501770, to the United States District Court for the Eastern District of Pennsylvania, and in support of same aver as follows:

**Removal is Timely**

1. On May 20, 2021, Plaintiff filed a Complaint in the Court of Common Pleas of Philadelphia County, Pennsylvania at docket number 210501770. A true and correct copy of Plaintiff's Complaint is attached hereto as **Exhibit "A."**

2. According to the Complaint, the accident that forms the basis of Plaintiffs' Complaint occurred on November 6, 2019 on Route 901, east of Valley Road in Pottsville, Schuylkill County, Pennsylvania. Id. at ¶ 4.

3. Undersigned counsel received a copy of Plaintiffs' Complaint on May 27, 2021.

4. Undersigned counsel has not accepted service on behalf of Defendants.

5. The status of service of Plaintiff's Complaint is unknown to undersigned counsel at this juncture.

6. Thus, removal is being made within the time permitted by 28 U.S.C. § 1446(b)(2)(B), as removal is being filed within thirty (30) days of filing of Plaintiffs' Complaint, which was only filed on May 20, 2021.

**Diversity of Citizenship Exists Under 28 U.S.C. § 1332**

7. Upon information and belief, and according to the Complaint, Plaintiff is of and domiciled in the Commonwealth of Pennsylvania. See Ex. A, at ¶ 1.

8. Abdulle is a resident of and domiciled in the State of Minnesota. Id. at ¶ 3.

9. According to the Complaint, is a corporation with a principal place of business at 1005 Caroline Drive, Federalsburg, Maryland 21632.<sup>1</sup> Id. at ¶ 2.

10. Therefore, complete diversity exists between the parties.

11. Plaintiff alleges that Defendants caused her severe and permanent serious bodily injuries, including injuries to his neck, low back, left leg, left knee right ankle and severe shock to the nerves and nervous system. Id. at ¶ 6.

12. Plaintiff further alleges that Defendants caused him to suffer a loss of earnings and an impairment of his earning capacity and power. Id. at ¶ 7.

13. Plaintiff also seeks damages for past and future medical expenses. Id.

14. Plaintiff alleges damages for pain and suffering, mental anguish, humiliation, and loss of life's pleasures. Id. at ¶ 10.

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<sup>1</sup> Although Plaintiff's Complaint alleges that CW Transport is a corporation with principal place of business in Maryland, CW Transport is actually a Minnesota limited liability company with a business address of 426 Concordia Avenue, Apt. D, St. Paul, Minnesota 55103. Regardless, complete diversity exists among the parties.

15. Plaintiff demands judgment against Defendants in a sum in excess of the jurisdictional limits for compulsory arbitration (\$50,000). See Ex. A.

16. If all of Defendants' defenses fail, and if Plaintiff proves all of his damages, the damages would exceed \$75,000, exclusive of interest and costs.

17. Therefore, the amount in controversy in the state court action, exclusive of interests and costs, exceeds \$75,000.00.

**Diversity Jurisdiction is Satisfied**

18. Based on the above, this Honorable Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332 in that Plaintiff's Complaint presents a case where the amount in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs, and is between citizens of different states.

19. Upon confirmation of filing and docketing, notice of this instant Notice of Removal will be given to all parties as well as to the Court of Common Pleas of Philadelphia County, Pennsylvania pursuant to 28 U.S.C. § 1446(d).

20. As of June 7, 2021, the only pleadings filed in the Philadelphia County Court of Common Pleas are Plaintiff's Complaint and undersigned counsel's Entry of Appearance. A true and correct copy of the docket is attached hereto as **Exhibit "B."**

21. The current action pending in the Court of Common Pleas of Philadelphia County, Pennsylvania is within the jurisdiction of the United States District Court for the Eastern District of Pennsylvania, and, for the reasons stated above, removal of this action to the Eastern District of Pennsylvania is just and proper under the law.

22. In filing this Notice of Removal, Defendants do not waive any affirmative defenses they may assert in this within action, nor should any statements in this Notice be construed as admissions to the allegations in Plaintiff's Complaint.

WHEREFORE, Defendants, CW Transport, LLC and Saed A. Abdulle, respectfully request that this case be removed from the Court of Common Pleas of Philadelphia County, Pennsylvania to the United States District Court for the Eastern District of Pennsylvania.

Respectfully submitted,

**PION, NERONE, GIRMAN,  
WINSLOW & SMITH, P.C.**

A handwritten signature in blue ink, appearing to read 'Megan C. Zei'.

Date: June 7, 2021

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STEPHEN E. GEDULDIG, ESQUIRE  
Attorney I.D. No. 43530  
MEGAN C. ZEI, ESQUIRE  
Attorney I.D. No. 309536

**Attorneys for Defendants**

**CERTIFICATE OF SERVICE**

I, Megan C. Zei, Esquire, of the law firm of Pion, Nerone, Girman, Winslow & Smith, P.C., counsel for the Defendants, hereby state that a true and correct copy of the foregoing *Notice of Removal* was served upon all parties via electronic case filing, on this date as follows:

Lawrence G. Metzger, Esquire  
Metzger & Kleiner  
Two Penn Center, Suite 1204  
1500 John F. Kennedy Boulevard  
Philadelphia, Pennsylvania 19102  
**Attorney for Plaintiff**

**PION, NERONE, GIRMAN,  
WINSLOW & SMITH, P.C.**



Date: June 7, 2021

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MEGAN C. ZEI, ESQUIRE

# EXHIBIT A



THIS IS NOT AN ARBITRATION  
Assessment of damages hearings requested by the  
Office of Judicial Records  
ATTORNEY FOR THE COURT 5:52 pm



BY: LAWRENCE G. METZGER  
lgmesq@aol.com  
ATTORNEY LD. NO. 02116  
METZGER & KLEINER  
TWO PENN CENTER, SUITE 1204  
1500 JOHN F. KENNEDY BOULEVARD  
PHILADELPHIA, PA 19102  
(215) 567-6616

SEAN WILLIAMS  
7144 Upland Street  
Philadelphia, PA 19142  
VS.  
CW TRANSPORT, LLC  
1005 Caroline Drive  
Federalsburg, MD 21632  
AND  
SAED A. ABDULLE  
426 Concord Avenue - Apt. D  
St. Paul, MN 55103

COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY

*May*

TERM, 2021

NO. 01770

# NOTICE TO DEFEND

## NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief required by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PHILADELPHIA BAR ASSOCIATION  
LAWYER REFERRAL and INFORMATION SERVICE  
One Reading Center  
Philadelphia, PA 19107  
(215) 238-6333  
TTY (215) 451-6197

## AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias, de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asestar una comparencia escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademais, la corte pue decidir a favor del demandante y requirir que usted cumpla con todas las provisiones de esta demanda. Usted pueda perder dinero o sus propiedades us otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

ASOCIACION DE LICENCIADOS DE FILADELFA  
SERVICIO DE REFENDIA E INFORMACION LEGAL  
One Reading Center  
Filadelfia, Pennsylvania 19107  
Telefono: (215) 238-6333  
TTY (215) 451-6197



FIRST COUNT

1. The plaintiff, Sean Williams, at times hereinafter mentioned, was in a passenger in a motor vehicle involved in the hereinafter mentioned accident.
2. The defendant, CW Transport, LLC, is a duly registered corporation doing business in Philadelphia, Pennsylvania.
3. The defendant, CW Transport, LLC, at all times hereinafter mentioned, operated and controlled another motor vehicle involved in the hereinafter mentioned accident, through its agent, servant, workman and/or employee, defendant, Saed A. Abdulle.
4. On or about November 6, 2019, at approximately 12:05 p.m., at Rt. 901 – east of Valley Road, Pottsville, Schuylkill County, Pennsylvania, the said motor vehicles were involved in a collision.
5. The aforesaid motor vehicle collision was caused by the carelessness, recklessness and negligence of the defendants and consisted of the following:
  - (a) Operation of defendants' motor vehicle at a high and excessive rate of speed under the circumstances;
  - (b) Failure to have defendants' motor vehicle under proper and adequate control under the circumstances;
  - (c) Failure to have due regard for the point and position of said motor vehicle containing the plaintiff;
  - (d) Violation of the pertinent statutes and ordinances of the Commonwealth of Pennsylvania;
  - (e) Otherwise failing to exercise due care under the circumstances.

6. By reason of the above-described occurrence, plaintiff sustained serious bodily injuries in and about the head, body and extremities including, but not limited to injury to his neck, low back, left leg, left knee and right ankle, and a severe shock to the nerves and nervous system which injuries are or may be permanent.

7. Plaintiff has or may suffer a loss of earnings and earning capacity, and plaintiff has incurred and may continue to incur various medical expenses in and about an effort to cure plaintiff of the aforesaid injuries, which expenses may exceed the minimum medical benefits and income loss benefits as defined by the Pennsylvania Motor Vehicle Financial Responsibility Law, 75 Pa. C.S. Section 1701 et seq.

8. As a further result of the aforesaid, plaintiff sustained a "serious injury" as that term is defined in the Motor Vehicle Financial Responsibility Law.

9. As a result of the aforesaid crash, the plaintiff was prevented from engaging in plaintiff's normal daily duties and activities of daily living for a substantial period of time, to plaintiff's great damage and loss, and said limitations may continue into the future.

10. As a further result of the aforesaid, plaintiff suffered serious impairments of body functions for a significant period of time following the crash, and plaintiff has suffered severe physical pain, mental anguish, humiliation and loss of enjoyment of life, and plaintiff may continue to suffer same for an indefinite period of time in the future.

WHEREFORE, plaintiff demands judgment against defendant in a sum in excess of Fifty Thousand Dollars (\$50,000.00), plus any expenses which may exceed the minimum medical benefits and income loss benefits as defined by the Pennsylvania Motor Vehicle Financial Responsibility Law, 75 Pa. C.S. Section 1701 et seq. The amount sued upon is in excess of that requiring submission to arbitration.

METZGER & KLEINER  
BY:

A handwritten signature in black ink, appearing to read 'Lawrence G. Metzger', is written over a horizontal line.

LAWRENCE G. METZGER  
ATTORNEY FOR PLAINTIFF

**VERIFICATION**

SEAN WILLIAMS hereby states that he is the plaintiff herein and that the facts set forth in the foregoing Complaint In Civil Action are true and correct to the best of his knowledge, information and belief and are based upon information which he has furnished his counsel and on information which has been gathered by his counsel in the preparation of the lawsuit.

The language in the Complaint is that of counsel, not plaintiff. Plaintiff has read the Complaint, and to the extent that it is based upon information which he has given his counsel, it is true and correct to the best of his knowledge, information and belief.

To the extent that the content of the Complaint is that of counsel, plaintiff has relied upon counsel in making this Verification. This Verification is subject to 18 Pa.C.S. Section 4904 which provides for certain penalties for making false statements.

X Sean Williams  
SEAN WILLIAMS

05/07/2021  
Date

# EXHIBIT B



# The Philadelphia Courts Civil Docket Access



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Civil Docket Report

A \$5 Convenience fee will be added to the transaction at checkout.

## Case Description

**Case ID:** 210501770  
**Case Caption:** WILLIAMS VS CW TRANSPORT, LLC ETAL  
**Filing Date:** Wednesday, May 19th, 2021  
**Court:** MAJOR NON JURY EXPEDITED  
**Location:** City Hall  
**Jury:** NON JURY  
**Case Type:** MOTOR VEHICLE ACCIDENT  
**Status:** WAITING TO LIST CASE MGMT CONF

## Related Cases

No related cases were found.

## Case Event Schedule

No case events were found.

## Case motions

No case motions were found.

## Case Parties




Seq #	Assoc	Expn Date	Type	Name
1			ATTORNEY FOR PLAINTIFF	METZGER, LAWRENCE G
<b>Address:</b>	1204 TWO PENN CENTER 15TH ST. & JFK BLVD. PHILADELPHIA PA 19102 (215)567-6616 lgmesq@aol.com		<b>Aliases:</b>	none
2	1		PLAINTIFF	WILLIAMS, SEAN
<b>Address:</b>	7144 UPLAND STREET PHILADELPHIA PA 19142		<b>Aliases:</b>	none
3	7		DEFENDANT	CW TRANSPORT LLC

<b>Address:</b>	1005 CAROLINE DRIVE FEDERALSBURG MD 21632	<b>Aliases:</b>	none	
4	7		DEFENDANT	ABDULLE, SAED A
<b>Address:</b>	426 CONCORD AVENUE - APT. D ST. PAUL MN 55103	<b>Aliases:</b>	none	
5			MOTION ASSIGMENT JUDGE	KEOGH, D W
<b>Address:</b>	692 CITY HALL PHILADELPHIA PA 19107 (215)686-2602	<b>Aliases:</b>	none	
6			TEAM LEADER	SHREEVES-JOHNS, KAREN
<b>Address:</b>	364 CITY HALL PHILADELPHIA PA 19107	<b>Aliases:</b>	none	
7			ATTORNEY FOR DEFENDANT	GEDULDIG, STEPHEN E
<b>Address:</b>	PION NERONE 2404 PARK DRIVE SUITE 404 HARRISBURG PA 17110 (717)761-3030 sgeduldig@pionlaw.com	<b>Aliases:</b>	none	
8	7		ATTORNEY FOR DEFENDANT	ZEI ESQ, MEGAN C
<b>Address:</b>	2404 PARK DRIVE SUITE 404 HARRISBURG PA 17110- 9303 (717)737-5833 mzei@pionlaw.com	<b>Aliases:</b>	none	

**Docket Entries**

Filing Date/Time	Docket Type	Filing Party	Disposition Amount	Approval/ Entry Date



19-MAY-2021 02:42 PM	ACTIVE CASE			20-MAY-2021 06:36 AM
<b>Docket Entry:</b>	E-Filing Number: 2105035613			
19-MAY-2021 02:42 PM	COMMENCEMENT OF CIVIL ACTION	METZGER, LAWRENCE G		20-MAY-2021 06:36 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">Final Cover</a>			
	 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>			
<b>Docket Entry:</b>	none.			
19-MAY-2021 02:42 PM	COMPLAINT FILED NOTICE GIVEN	METZGER, LAWRENCE G		20-MAY-2021 06:36 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">Complaint In Civil Action.pdf</a>			
	 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>			
<b>Docket Entry:</b>	COMPLAINT WITH NOTICE TO DEFEND WITHIN TWENTY (20) DAYS AFTER SERVICE IN ACCORDANCE WITH RULE 1018.1 FILED.			
19-MAY-2021 02:42 PM	WAITING TO LIST CASE MGMT CONF	METZGER, LAWRENCE G		20-MAY-2021 06:36 AM
<b>Docket Entry:</b>	none.			
28-MAY-2021 09:31 AM	ENTRY OF APPEARANCE	GEDULDIG, STEPHEN E		28-MAY-2021 09:46 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">EOA SEG-MCZ re Williams v CW Transport et al.pdf</a>			
	 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>			
<b>Docket Entry:</b>	ENTRY OF APPEARANCE OF STEPHEN E GEDULDIG AND MEGAN C ZEI FILED. (FILED ON BEHALF OF SAED A ABDULLE AND CW TRANSPORT LLC)			

[▶ Case Description](#)[▶ Related Cases](#)[▶ Event Schedule](#)[▶ Case Parties](#)[▶ Docket Entries](#)

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